



129 JAN 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Robert M. Barrett
Bell, Boyd & Lloyd, LLC
P.O. Box 1135
Chicago, Illinois 60690-1135

In re Application of
AFFOLTER, et al.
U.S. Application No.: 09/936,367
PCT No.: PCT/EP00/01796
Int. Filing Date: 02 March 2000
Priority Date: 11 March 1999
Attorney Docket No.: 112843-029

DECISION ON PETITIONS

UNDER 37 CFR 1.181

AND 1.137(b)

For: EXPRESSION OF PROTEOLYTIC
ENZYMES IN KOJI MOLD IN THE
PRESENCE OF CARBON SOURCES

This decision is in response to applicant's correspondence filed 31 July 2003 which is being treated as a petition under 37 CFR 1.181 and "Petition For Revival of an Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 22 January 2004. No petition fee is due for the petition under 37 CFR 1.181. Applicant included authorization to charge the \$1330.00 petition to revive fee to Deposit Account No. 02-1818.

BACKGROUND

On 02 March 2000, applicant filed international application PCT/EP00/01796, which claimed priority of an earlier application filed 11 March 1999. A Demand for international preliminary examination, in which the United States was elected was filed prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 11 September 2001.

On 11 September 2001, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an unexecuted declaration; a copy of the international search report and a First preliminary amendment.

On 30 October 2001, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide an executed oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. Applicant was also informed of the need to provide a nucleotide and/or amino acid sequence disclosure in compliance with 37 CFR 1.821-1.825. Applicant was afforded two months to file the response.

01/30/2004 SEARCHED 00000150 021616 09936367

On 23 January 2002, applicant responded with an executed combined declaration and power of attorney.

On 30 May 2002, the present application became abandoned as to the United States for failure to fully respond to the Form PCT/DO/EO/905 mailed 30 October 2001.

On 31 July 2003, applicant filed copies of papers purportedly filed 28 March 2003 including a paper sequence listing and diskette for the present application.

On 22 January 2004, applicant filed the present petition to revive pursuant to 37 CFR 1.137(b).

DISCUSSION

I. Petition Under 37 CFR 1.181

The best evidence of what was actually received by the Office is a postcard receipt containing a specific itemization of all the items being submitted. See MPEP 503. Applicant's 31 July 2003 filing includes a copy of a date-stamped postcard receipt. The postcard identifies the application by applicant, application number and docket number. Among the items listed on the receipt are: "6. Sequence Listing Statement (1 page); 7. Sequence Listing Document (3 pages); and 8. Diskette Containing Computer Readable Form of Sequence Listing (1 diskette)" The receipt is stamped "DT13 Rec'd PCT/PTO 28 MAR 2003." Thus, it is clear that applicant filed a these items on 28 March 2003. As such, it is proper to accept the papers filed on 31 July 2003 as having been filed 28 March 2003. Thus, it is proper to grant applicant's petition under 37 CFR 1.181.

II. Petition Under 37 CFR 1.137(b)

A petition under 37 CFR 1.137(b) requesting that the application be revived on the grounds of unintentional abandonment must be accompanied by (1) the required reply, (2) the petition fee required by law, (3) a statement that the, "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional" and (4) any terminal disclaimer and fee pursuant to 37 CFR 1.137(c) (where required).

With regard to Item (2), applicant included authorization to charge the \$1330.00 petition fee to Deposit Account No.: 02-1818.

As to Item (3), applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies Item (3).

With regard to Item (4), the terminal disclaimer is not required since this application was filed after 08 June 1995.

Thus, applicant has satisfied Items (2) - (4) above.

However, with regard to Item (1), the proper response was the required sequence listing pursuant to 37 CFR 1.821-1.825. The computer readable form filed 31 July 2003 (held to have been filed 28 March 2003 per the above) was found to be non-compliant and a corrected diskette is needed. (See attached copy of CRF Problem Report.) Accordingly, the proper reply has not been furnished.

For the reasons stated above, the petition for revival cannot be granted at this time and the application remains abandoned.

CONCLUSION

Applicant's petition under 37 CFR 1.181 is GRANTED.

Applicant's petition under 37 CFR 1.137(b) is DISMISSED.

This application remains abandoned as to the United States of America.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." No additional petition fee is required.

Please direct further correspondence with respect to this matter to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (703) 305-0130
Fax: (703) 308-6459

#7

CRF Errors Edited by the STIC Systems Branch

Serial Number: 09/936,367

CRF Edit Date: 12/11/03
Edited by: KZ

ENTERED

_____ Misaligned nucleic acid/amino acid numbers/text in cases where the sequence text "wrapped" to the next line

_____ Corrected the SEQ ID NO. Sequence numbers edited were:

_____ Inserted or corrected a nucleic number at the end of a nucleic line. SEQ ID NO's edited:

✓ Deleted: ✓ invalid beginning/end-of-file text ; _____ page numbers

_____ Inserted mandatory headings/numeric identifiers, specifically:

_____ Moved responses to same line as heading/numeric identifier, specifically:

_____ Other:



PCT

RAW SEQUENCE LISTING

DATE: 12/11/2003

PATENT APPLICATION: US/09/936,367

TIME: 11:17:12

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

```

3 <110> APPLICANT: Societe des Produits Nestle
5 <120> TITLE OF INVENTION: creA-gene
7 <130> FILE REFERENCE: 80050
C--> 9 <140> CURRENT APPLICATION NUMBER: US/09/936,367
C--> 10 <141> CURRENT FILING DATE: 2001-09-11
12 <150> PRIOR APPLICATION NUMBER: 99 104 923.0
13 <151> PRIOR FILING DATE: 1999-03-11
15 <160> NUMBER OF SEQ ID NOS: 2
17 <170> SOFTWARE: PatentIn Ver. 2.1
19 <210> SEQ ID NO: 1
20 <211> LENGTH: 4238
21 <212> TYPE: DNA
22 <213> ORGANISM: Aspergillus oryzae
24 <400> SEQUENCE: 1
25 ctgcagttcc agtttctacc ccgtaaattcc ctatcaactt agtccgcccc acattctttt 60
26 ttttttttcc ttttttttcc gctcccggtc agagtgatag tgggatttat tacacaccgt 120
27 gcgtggtoga agaacgacac ggaagaagcc ccggaagacg ccttctctag gcaacaaatg 180
28 attgtactct tatgatactc aatacggtag aaaatagaga attgagatac gaaagctgac 240
29 tcatcagaac agaataaggg gaatttttga ttagcaaata acaataataa ttatacaaaa 300
30 aaacaaataa aaaaatttag gggactcccc acccgctgta atcctgggtg tatctcaaag 360
31 caaagcaggc gatctggggg gagcacgttc ttttttttcc ttttctcttt tttctatttt 420
32 tttttttttt tttatttttag gtctatgctt ttttttttct ttttcttttt tttttttttt 480
33 tttgcccccc gataattctc cccacacata ggacatactt tttttttttt tcttccact 540
34 ccttcaagg tctccgattc cgataacccc ctctaccagt tcgcccgtgc tttttctctc 600
35 ccttcccccg aagctccatt tctctcttct tcccctccat tctcattct tcttctccg 660
36 tatttctctt atatgctcct atccccagac catttctcca gatttctctc tcttccccct 720
37 ctctcccttt cgacaaattg ttgcttgact acatccatct cgggttaact acttacagta 780
38 ccaattccgg atatactcta tcccacccat caccacattc cataacagcg ccttttcatt 840
39 gggaaagtca ctcttccttg aaattgggta catcgaggac catcgtaact tctttaatcg 900
40 caaggcttgt gatactcttg cgggtgctgt tcatcaacta gtactttgcc aagagcaagt 960
41 ctccgtcttg tcgggtgggt atcgactctc cccgatttac ctacccctgt tgcgacgaat 1020
42 cctgattcgc ctgggtcgtg cagcccttcc gagcttccct taagtacagg ctctgtcccc 1080
43 tcttttagctg cactcctcgg tgctagggta ggacgagtca catgccacca ccggttctt 1140
44 cagtggattt caccaatctg ctgaaccctc agaataacga gactggttct gcaccttcca 1200
45 cgccagtgga tagctccaag gctccctcta ccccgctccag tactcagtcc aactctacca 1260
46 tggcctcgtc tggttagctta ctaccgcccc tcatgaaggg tgctcgtccc gcaacggaag 1320
47 aagcgcgcca ggaattctcc cgtccatata agtgctccct gtgtgatcgc gccttccatc 1380
48 gtttgaggca ccagaccaga catattcgca cacatacggg tgaaaagcca cagcgttgcc 1440
49 agttcccggt ctgcacaaaa cgcttttagtc gctctgacga gctgacagc cactcaagaa 1500
50 ttcacaacaa ccccaactcc aggcgaggta acaaggcaca tctggccgct gccgtgccg 1560
51 ctgccgtgct cggacaagag aatgcaatgg taaatgtgac caacgcgggc tcgttgatgc 1620
52 ccccgcccac aaagcctatg acccgctctg cgctgtctc tcagggttga tctccggatg 1680
53 tctcccctcc gcactccttc tcgaactatg ccggtcacat gcgttccaat ctgggacct 1740

```

RAW SEQUENCE LISTING

DATE: 12/11/2003

PATENT APPLICATION: US/09/936,367

TIME: 11:17:12

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

```

54 atgctcgcaa caccgagcgg gcgtcctcgg gaatggatat caatctactt gccaccgctg 1800
55 catctcaggt tgagcgtgat gaacaacatt ttgggttcca cgctggtcca cgtaatcacc 1860
56 atttgttcgc ctgcggtcac cacaccgggc gtggcctgcc ttccctttca gcgtacgcca 1920
57 tctcgcacag catgagccgt tctcactttc acgaggacga ggatgggttac actcatcgcg 1980
58 tcaagcgctc aaggcctaac tcaccaaact cgaccgctcc gtcctcaccg actttctctc 2040
59 acgactctct tcccccaacg ccagaccaca ctccgttggc aacccttgct cattcgccac 2100
60 gcttgagggtc attgggatct agcgaactcc accttccttc gattcgccat ctgtccctcc 2160
61 atcacacccc tgcccttgct ccaatggagc ccagccgga aggccccaac tattacagtc 2220
62 ccagccagtc tcatggtccc acaatcagcg atatcatgtc cagacccgac ggaacacagc 2280
63 gtaaaactgcc cgttccacag gttcccaagg tcgcggtgca agatatgctg aaccccagcg 2340
64 ctgggttttc gtcggtttcc tcatcgacga ataactctgt cgcaggaaat gatttggcag 2400
65 aacgtttcta gcctggtgcy gctgcgaaac cttttcaatg tataaagttt tgggctcaaa 2460
66 aaaaattctt gactgtcata cgcgtacga aacgaataga ctttgtgcat ttacagtgcg 2520
67 tgggttcattg gcatccttgg tgcggtctgg ctttctttgc ttactttggt cgagtatact 2580
68 tttgcgaggc gtccatagtg atagacgggt gggatattct tgtggctttt tccgtgcttg 2640
69 ttcgattctc ccttttcgct ctcttgaaa aatacctttc ttatctata accatttgtt 2700
70 tcattatccc aatgggaatt ggctctacag ctcttattca ttttgtctac tcctctctg 2760
71 aggccagtc cctgataat tccgggctct accatataca tttcatttcg actatgtcag 2820
72 tttccgcttc gatttagacc tcgagcagga cgagagggtt ccgaaagaaa atacaaacaa 2880
73 aaattatagt aatctgcgtt tactttggca taatacagta gtcattagtt gaggtaggca 2940
74 taatctggat gtctaaccat cacttgccct aacctctac catctgctgc tagtatttgt 3000
75 cttaccogaa acccaattca acgagataga tggattgacg aataacaatt tgttgtccag 3060
76 cgacatgcat gatacatgcy tacgtacata cactaatagt agtcacagac cagttcatca 3120
77 catcctggtc tcgggtattc agatacggaa atgcgtaaga ttggaagggt ctaagaaaaa 3180
78 gcaaagaaaa aggaaaagtt aacactggct ggcgctctct tccatctct gatcaatgtt 3240
79 attgttcgtc actcagctgt ggacgtggct ccagtcaagt tgtgaattat gatagggtat 3300
80 tgttgacttg acaagttgat cttgatgaa tcaaattctc tccccgccag attctgacgc 3360
81 ttgaggctct cggatcgaat gaacaacttt tcgcaccaca tcaaccggtt gccgctgat 3420
82 gctggagaca aaccgacca aacgtcacgg tcacacggag gatacgtttg ctagagccag 3480
83 ctgatacccc aagagacaag aaggtaaagg tcgcaaaaat cttttcaata agatggcatc 3540
84 tccccccac caaccttaa ccattctcct ttcaagctgt gttgccccgc tttggtgcat 3600
85 gggcttgggt agtgcggtcg caaaactact aatttaatga ccgactgctg ctgctttttc 3660
86 actcgccgct caccgactaa gcatgtggga acaggatcgc cccgtcacta tttcagatcg 3720
87 tgtcgatatc aggtgttcgc ccggtgctgc tggcacgaac gccggccatc caagatcatt 3780
88 gttctcattc aaaccgggcy gcttacgtct agcccgggac gtaagcacga agagtgtgtg 3840
89 tagtggtggg agtgaagccg ttgccgaaac catgcgctcc tccacggccg tcccgctgtt 3900
90 atcaagcgac gctgcctccg cttcatcctc atcagcgggt gtatctctgg agacaagatg 3960
91 ggcggaaggt ctaccggcc aggagatatt agaagacgat ggaacgggcy cgctcgctgt 4020
92 cccgccgtcc cgccctgctc ggcaatatca tcaccatacc tatatctgtc tgttctatat 4080
93 cttagattgt caccacacct tcgacgatgt cgagcaatgg aagactcacg ttctgagcca 4140
94 cttccgaacc caccgaaccac cgcgaacagc ccgatgccct ctatgtccgg gtgagcgggt 4200
95 cagcgacacc cccgaacaga aaggatggga tcgcatgc 4238

```

98 <210> SEQ ID NO: 2

99 <211> LENGTH: 431

100 <212> TYPE: PRT

101 <213> ORGANISM: Aspergillus oryzae

103 <400> SEQUENCE: 2

104 Met Pro Pro Pro Ala Ser Ser Val Asp Phe Thr Asn Leu Leu Asn Pro

105 1

5

10

15

RAW SEQUENCE LISTING

DATE: 12/11/2003

PATENT APPLICATION: US/09/936,367

TIME: 11:17:12

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

```

107 Gln Asn Asn Glu Thr Gly Ser Ala Pro Ser Thr Pro Val Asp Ser Ser
108          20          25          30
110 Lys Ala Pro Ser Thr Pro Ser Ser Thr Gln Ser Asn Ser Thr Met Ala
111          35          40          45
113 Ser Ser Val Ser Leu Leu Pro Pro Leu Met Lys Gly Ala Arg Pro Ala
114          50          55          60
116 Thr Glu Glu Ala Arg Gln Asp Leu Pro Arg Pro Tyr Lys Cys Pro Leu
117 65          70          75          80
119 Cys Asp Arg Ala Phe His Arg Leu Glu His Gln Thr Arg His Ile Arg
120          85          90          95
122 Thr His Thr Gly Glu Lys Pro His Ala Cys Gln Phe Pro Gly Cys Thr
123          100         105         110
125 Lys Arg Phe Ser Arg Ser Asp Glu Leu Thr Arg His Ser Arg Ile His
126          115         120         125
128 Asn Asn Pro Asn Ser Arg Arg Ser Asn Lys Ala His Leu Ala Ala Ala
129          130         135         140
131 Ala Ala Ala Ala Ala Ala Gly Gln Gly Gln Glu Asn Ala Met Val Asn
132 145          150         155         160
134 Val Thr Asn Ala Gly Ser Leu Met Pro Pro Pro Thr Lys Pro Met Thr
135          165         170         175
137 Arg Ser Ala Pro Val Ser Gln Val Gly Ser Pro Asp Val Ser Pro Pro
138          180         185         190
140 His Ser Phe Ser Asn Tyr Ala Gly His Met Arg Ser Asn Leu Gly Pro
141          195         200         205
143 Tyr Ala Arg Asn Thr Glu Arg Ala Ser Ser Gly Met Asp Ile Asn Leu
144          210         215         220
146 Leu Ala Thr Ala Ala Ser Gln Val Glu Arg Asp Glu Gln His Phe Gly
147 225         230         235         240
149 Phe His Ala Gly Pro Arg Asn His His Leu Phe Ala Ser Arg His His
150          245         250         255
152 Thr Gly Arg Gly Leu Pro Ser Leu Ser Ala Tyr Ala Ile Ser His Ser
153          260         265         270
155 Met Ser Arg Ser His Phe His Glu Asp Glu Asp Gly Tyr Thr His Arg
156          275         280         285
158 Val Lys Arg Ser Arg Pro Asn Ser Pro Asn Ser Thr Ala Pro Ser Ser
159          290         295         300
161 Pro Thr Phe Ser His Asp Ser Leu Ser Pro Thr Pro Asp His Thr Pro
162 305          310         315         320
164 Leu Ala Thr Pro Ala His Ser Pro Arg Leu Arg Ser Leu Gly Ser Ser
165          325         330         335
167 Glu Leu His Leu Pro Ser Ile Arg His Leu Ser Leu His His Thr Pro
168          340         345         350
170 Ala Leu Ala Pro Met Glu Pro Gln Pro Glu Gly Pro Asn Tyr Tyr Ser
171          355         360         365
173 Pro Ser Gln Ser His Gly Pro Thr Ile Ser Asp Ile Met Ser Arg Pro
174          370         375         380
176 Asp Gly Thr Gln Arg Lys Leu Pro Val Pro Gln Val Pro Lys Val Ala
177 385          390         395         400
179 Val Gln Asp Met Leu Asn Pro Ser Ala Gly Phe Ser Ser Val Ser Ser

```

RAW SEQUENCE LISTING

DATE: 12/11/2003

PATENT APPLICATION: US/09/936,367

TIME: 11:17:12

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

180				405				410					415		
182	Ser	Thr	Asn	Asn	Ser	Val	Ala	Gly	Asn	Asp	Leu	Ala	Glu	Arg	Phe
183				420				425					430		

VERIFICATION SUMMARY

DATE: 12/11/2003

PATENT APPLICATION: US/09/936,367

TIME: 11:17:13

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

L:9 M:270 C: Current Application Number differs, Replaced Application Number

L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date



PCT

RAW SEQUENCE LISTING

DATE: 12/11/2003

PATENT APPLICATION: US/09/936,367

TIME: 11:13:11

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

W--> 1 SEQUENZPROTOKOLL

3 <110> APPLICANT: Societe des Produits Nestle

5 <120> TITLE OF INVENTION: creA-gene

7 <130> FILE REFERENCE: 80050

C--> 9 <140> CURRENT APPLICATION NUMBER: US/09/936,367

C--> 10 <141> CURRENT FILING DATE: 2001-09-11

12 <150> PRIOR APPLICATION NUMBER: 99 104 923.0

13 <151> PRIOR FILING DATE: 1999-03-11

15 <160> NUMBER OF SEQ ID NOS: 2

17 <170> SOFTWARE: PatentIn Ver. 2.1

19 <210> SEQ ID NO: 1

20 <211> LENGTH: 4238

21 <212> TYPE: DNA

22 <213> ORGANISM: Aspergillus oryzae

24 <400> SEQUENCE: 1

```

25 ctgcagttcc agttttctacc ccgtaaatcc ctatcaactt agtccgcccc acattctttt 60
26 ttttttttcc ttttttttcc gctcccggtc agagtgatag tgggatttat tacacaccgt 120
27 gcgtggtcga agaacgacac ggaagaagcc ccggaagacg ccttctctag gcaacaaatg 180
28 attgtactct tatgatactc aatacggtag aaaatagaga attgagatac gaaagctgac 240
29 tcatcagaac agaataaggg gaatttttga ttagcaaata acaataataa ttatacaaaa 300
30 aaacaaataa aaaaatttag gggactcccc acccgctgta atcctgggtg tatctcaaag 360
31 caaagcaggc gatctggggg gagcacgttc ttttttttcc ttttctcttt tttctatttt 420
32 tttttttttt tttatttttag gtctatgcct ttttttttct ttttcttttt tttttttttt 480
33 tttgcccccc gataattctc cccacacata ggacataact tttttttttt tctttccact 540
34 cctttcaagg tctccgattc cgataaeeee ctctaccagt tcgcccgtgc tttttctctc 600
35 ccttcccccg aagctccatt tctctcttct tccccctcat tctctattct tcttctcccg 660
36 tatttctctt atatgtctct atccccagac catttctcca gatttctctc tctttccctt 720
37 ctctcccttt cgacaaattg ttgcttgact acatccatct cgggttacct acttacagta 780
38 ccaattccgg atatactcta tcccacccat caccacattc cataacagcg ccctttcatt 840
39 gggaaagtca ctcttccttg aaattgggta catcgcggaac catcgtaact tctttaatcg 900
40 caaggcttgt gatactcttg cgggtgctcg tcatcaacta gtactttgcc aagagcaagt 960
41 ctccgtcttg tcgggtggtg atcgactctc cccgatttac ctacccctgt tgcgacgaat 1020
42 cctgattcgc ctcggtcctg cagcccttcc gagcttccct taagtacagg cttcgtcccc 1080
43 tcttttagctg cactcctcgg tgctagggta ggacgagtca catgccacca ccggttcttt 1140
44 cagtggattt caccaatctg ctgaaccctc agaataacga gactggttct gcaccttcca 1200
45 cgccagtgga tagctccaag gctccctcta ccccgctccag tactcagtcc aactctacca 1260
46 tggcctcgct tgtagcttta ctaccgcccc tcatgaaggg tgctcgctcc gcaacggaag 1320
47 aagcgcgcca ggatctttcc cgtccatata agtgcctcct gtgtgatcgc gccttccatc 1380
48 gtttgaggca ccagaccaga catattcgca cacatacggg tgaaaagcca cacgcttgcc 1440
49 agttcccggg ctgcacaaaa cgcttttagt gctctgacga gctgacacgc cactcaagaa 1500
50 ttcacaacaa ccccaactcc aggcggagta acaaggcaca tctggccgct gccgtgccg 1560
51 ctgccgctgc cggacaagag aatgcaatgg taaatgtgac caacgcgggc tcgttgatgc 1620
52 ccccgccccc aaagcctatg acccgctctg cgctgtctc tcaggttgga tctccggatg 1680

```

Does Not Comply
Corrected Diskette Needed

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/936,367

DATE: 12/11/2003

TIME: 11:13:11

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

```

53 tctccctcc gcactccttc tcgaactatg cgggtcacat gcgttccaat ctgggacccat 1740
54 atgctcgcaa caccgagcgg gcgtcctcgg gaatggatat caatctactt gccaccgctg 1800
55 catctcaggt tgagcgtgat gaacaacatt ttgggttcca cgctggtcca cgtaatcacc 1860
56 atttggtcgc ctgcgctcac cacaccgggc gtggcctgcc ttccctttca gcgtacgcca 1920
57 tctcgcacag catgagccgt tctcactttc acgaggacga ggatgggttac actcatcgcg 1980
58 tcaagcgctc aaggcctaac tcacaaaact cgaccgctcc gtcctcaccg actttctctc 2040
59 acgactctct tcccccaacg ccagaccaca ctccgttggc aaccctgct cattcgccac 2100
60 gcttgaggtc attgggatct agcgaactcc accttcttc gatcgccat ctgtccctcc 2160
61 atcacacccc tgcccttgc tcaatggagc cccagccgga aggcccaac tattacagtc 2220
62 ccagccagtc tcatgggtccc acaatcagcg atatcatgtc cagaccgcag ggaacacagc 2280
63 gtaaacgtgc cgttccacag gttcccaagg tcgcggtgca agatatgctg aaccgcagcg 2340
64 ctgggttttc gtcggtttcc tcatcgacga ataactctgt cgcaggaaat gatttggcag 2400
65 aacggtttta gctggttgcg gctgcgaaac cctttcaatg tataaagttt tgggctcaaa 2460
66 aaaaattctt gactgtcata cgcgctacga aacgaataga ctttgtgcat ttacagtgcg 2520
67 tgggtcatgg gcatccttgg tgcggtggc ctttctttgc ttactttgtt cgagtatact 2580
68 ttgcgaggc gtccatagt atagacgggt gggatattct tgtggctttt tccgtgcttg 2640
69 ttcgattctc ccctttcgt ctccttgaaa aatacctttc ttatcctata accatttgtt 2700
70 tcattatccc aatgggaatt ggctctacag ctcttattca ttttgtctac tctctcctg 2760
71 aggccagtc ccctgataat tccgggctct accatataca ttctatttcg actatgtcag 2820
72 ttccgcttc gatttagacc tcgagcagga cgagagggtt ccgaaagaaa atacaaacaa 2880
73 aaattatagt aatctgcgtt tactttggca taatacagta gtcattagtt gaggtaggca 2940
74 taatctggat gtctaaccat cacttgccct aacctctac catctgctgc tagtatttgt 3000
75 cttaccgaa acccaattca acgagataga tggattgacg aataacaatt tgttgtccag 3060
76 cgacatgcat gatacatgcg tacgtacata cactaatagt agtcacagac cagttcatca 3120
77 catcctggtc tcgggtattc agatacggaa atgcgtaaga ttggaagggt ctaagaaaaa 3180
78 gcaaagaaaa aggaaaagtt aacactggct ggcgtctctc ttccatctct gatcaatgtt 3240
79 attgttcgtc actcagctgt ggacgtggct ccagtcaagt tgtgaattat gatagggtat 3300
80 tgttgacttg acaagttgat cttgatgaa tcaaatcttc tcccgccag attctgacgc 3360
81 ttgaggctct cggatcgaat gaacaacttt tcgcaaccaca tcaaccgggt gccgcgtgat 3420
82 gctggagaca aaccgaccca aacgtcacgg tcacacggag gatacgtttg ctagagccag 3480
83 ctgatacccc aagagacaag aaggtaaagg tcgcaaaaat cttttcaata agatggcatc 3540
84 tccccccac caacccttaa ccattctcct ttcaagctgt gttgccccgc tttggtgcat 3600
85 gggcttgggt agtgcggtcg caaaactact aatttaatga ccgactgctg ctgctttttc 3660
86 actcgccgct caccgactaa gcatgtggga acaggatcgc cccgtcacta ttccagatcg 3720
87 tgcgtatca aggtgttcgc ccggtgctgc tggcacgaac gccggccatc caagatcatt 3780
88 gttctcattc aaaccgggcg gcttacgtct agccggcgac gtaagcacga agagtgtgtg 3840
89 tagtgggtgg agtgaagccg ttgcgaaac catgcccgtc tccacggccg tcccgctgtt 3900
90 atcaagcgac gctgcctccg cttcatcctc atcagcgggt gtatctctgg agacaagatg 3960
91 ggcggaaggc ctcaccggcc aggatattt agaagacgat ggaacgggcg cgctcgtcgt 4020
92 ccccgctcc cgccctgctc ggcaatatca tcaccatacc tatactctgtc tgttctatat 4080
93 cttagattgt caccacacct tcgacgatgt cgagcaatgg aagactcacg ttctgagcca 4140
94 cttcgaacc caccgaaccac cgcgaacagc ccgatgccct ctatgtccgg gtgagcgggt 4200
95 cagcgacacc cccgaacaga aaggatggga tcgcatgc 4238

```

98 <210> SEQ ID NO: 2

99 <211> LENGTH: 431

100 <212> TYPE: PRT

101 <213> ORGANISM: Aspergillus oryzae

103 <400> SEQUENCE: 2

104 Met Pro Pro Pro Ala Ser Ser Val Asp Phe Thr Asn Leu Leu Asn Pro

RAW SEQUENCE LISTING

DATE: 12/11/2003

PATENT APPLICATION: US/09/936,367

TIME: 11:13:11

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

```

105      1              5              10              15
107 Gln Asn Asn Glu Thr Gly Ser Ala Pro Ser Thr Pro Val Asp Ser Ser
108              20              25              30
110 Lys Ala Pro Ser Thr Pro Ser Ser Thr Gln Ser Asn Ser Thr Met Ala
111              35              40              45
113 Ser Ser Val Ser Leu Leu Pro Pro Leu Met Lys Gly Ala Arg Pro Ala
114      50              55              60
116 Thr Glu Glu Ala Arg Gln Asp Leu Pro Arg Pro Tyr Lys Cys Pro Leu
117 65              70              75              80
119 Cys Asp Arg Ala Phe His Arg Leu Glu His Gln Thr Arg His Ile Arg
120              85              90              95
122 Thr His Thr Gly Glu Lys Pro His Ala Cys Gln Phe Pro Gly Cys Thr
123              100              105              110
125 Lys Arg Phe Ser Arg Ser Asp Glu Leu Thr Arg His Ser Arg Ile His
126      115              120              125
128 Asn Asn Pro Asn Ser Arg Arg Ser Asn Lys Ala His Leu Ala Ala Ala
129      130              135              140
131 Ala Ala Ala Ala Ala Ala Gly Gln Gly Gln Glu Asn Ala Met Val Asn
132 145              150              155              160
134 Val Thr Asn Ala Gly Ser Leu Met Pro Pro Pro Thr Lys Pro Met Thr
135              165              170              175
137 Arg Ser Ala Pro Val Ser Gln Val Gly Ser Pro Asp Val Ser Pro Pro
138      180              185              190
140 His Ser Phe Ser Asn Tyr Ala Gly His Met Arg Ser Asn Leu Gly Pro
141      195              200              205
143 Tyr Ala Arg Asn Thr Glu Arg Ala Ser Ser Gly Met Asp Ile Asn Leu
144      210              215              220
146 Leu Ala Thr Ala Ala Ser Gln Val Glu Arg Asp Glu Gln His Phe Gly
147 225              230              235              240
149 Phe His Ala Gly Pro Arg Asn His His Leu Phe Ala Ser Arg His His
150      245              250              255
152 Thr Gly Arg Gly Leu Pro Ser Leu Ser Ala Tyr Ala Ile Ser His Ser
153      260              265              270
155 Met Ser Arg Ser His Phe His Glu Asp Glu Asp Gly Tyr Thr His Arg
156      275              280              285
158 Val Lys Arg Ser Arg Pro Asn Ser Pro Asn Ser Thr Ala Pro Ser Ser
159      290              295              300
161 Pro Thr Phe Ser His Asp Ser Leu Ser Pro Thr Pro Asp His Thr Pro
162 305              310              315              320
164 Leu Ala Thr Pro Ala His Ser Pro Arg Leu Arg Ser Leu Gly Ser Ser
165      325              330              335
167 Glu Leu His Leu Pro Ser Ile Arg His Leu Ser Leu His His Thr Pro
168      340              345              350
170 Ala Leu Ala Pro Met Glu Pro Gln Pro Glu Gly Pro Asn Tyr Tyr Ser
171      355              360              365
173 Pro Ser Gln Ser His Gly Pro Thr Ile Ser Asp Ile Met Ser Arg Pro
174      370              375              380
176 Asp Gly Thr Gln Arg Lys Leu Pro Val Pro Gln Val Pro Lys Val Ala
177 385              390              395              400

```

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/936,367

DATE: 12/11/2003
TIME: 11:13:11

Input Set : A:\PTO.AMC.txt
Output Set: N:\CRF4\12082003\I936367.raw

179	Val	Gln	Asp	Met	Leu	Asn	Pro	Ser	Ala	Gly	Phe	Ser	Ser	Val	Ser	Ser
180					405					410					415	
182	Ser	Thr	Asn	Asn	Ser	Val	Ala	Gly	Asn	Asp	Leu	Ala	Glu	Arg	Phe	
183				420					425					430		

VERIFICATION SUMMARY

DATE: 12/11/2003

PATENT APPLICATION: US/09/936,367

TIME: 11:13:12

Input Set : A:\PTO.AMC.txt

Output Set: N:\CRF4\12082003\I936367.raw

L:1 M:259 W: Allowed number of lines exceeded, (1) GENERAL INFORMATION:
L:9 M:270 C: Current Application Number differs, Replaced Application Number
L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date